

MARINO, TORTORELLA & BOYLE, P.C.

KEVIN H. MARINO
JOHN D. TORTORELLA**
JOHN A. BOYLE*
ROSEANN BASSLER DAL PRA*

ATTORNEYS AT LAW
437 SOUTHERN BOULEVARD
CHATHAM, NEW JERSEY 07928-1488
TELEPHONE (973) 824-9300
FAX (973) 824-8425

* ALSO ADMITTED IN NEW YORK
* ALSO ADMITTED IN PENNSYLVANIA
kmarino@khmarino.com

September 6, 2011

VIA ECF AND REGULAR MAIL

Hon. Dennis M. Cavanaugh, U.S.D.J.
United States Post Office and Courthouse Building
Federal Square, Courtroom 4
Newark, New Jersey 07101

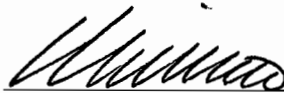
Re: In re Medco/Express Scripts Merger Litigation
Civil Action No. 11-4211 (DMC)

Dear Judge Cavanaugh:

Medco Health Solutions, Inc. and its individually-named directors respectfully join in the arguments contained in Express Scripts' memorandum of this date opposing Plaintiff's August 18, 2011 motion for class certification.

Thank you for your consideration of this submission.

Respectfully yours,



OF COUNSEL:

John L. Hardiman
Brian T. Frawley
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Tel: (212) 558-4000
Fax: (212) 558-3588

Kevin H. Marino
John D. Tortorella
MARINO, TORTORELLA & BOYLE, P.C.
437 Southern Boulevard
Chatham, New Jersey 07928-1488
Tel: (973) 824-9300
Fax: (973) 824-8425

*Attorneys for Defendant Medco Health
Solutions*

cc: All Counsel on Attached List

In re Medco/Express Scripts Merger Litigation
Civil Action No. 2:11-cv-4211 (DMC/MF)

SERVICE LIST

<p>James E. Cecchi, Esq. <i>JCecchi@carellabyrne.com</i> Lindsey Taylor, Esq. <i>LTaylor@carellabyrne.com</i> Donald Ecklund, Esq. <i>DEcklund@carellabyrne.com</i> CARELLA, BYRNE, CECCHI, OLSTEIN, BRODY & AGNELLO, P.C. 5 Becker Farm Road Roseland, NJ 07068-1739 Tel: (973) 994-1700 Fax: (973) 994-1744</p> <p>Mark Lebovitch, Esq. <i>MarkL@blbglaw.com</i> Brett Middleton, Esq. <i>BrettM@blbglaw.com</i> Jeremy Friedman, Esq. <i>JeremyF@blbglaw.com</i> BERNSTEIN LITOWITZ BERGER & GROSSMANN LLP 1285 Avenue of the Americas New York, NY 10019 Tel: (212) 554-1400 Fax: (212) 554-1444</p> <p>Jay W. Eisenhofer, Esq. <i>jeisenhofer@gelaw.com</i> Michael Barry, Esq. <i>mbarry@gelaw.com</i> GRANT & EISENHOFER P.A. 1201 N. Market Street Wilmington, Delaware 19801 Tel: (302) 622-7000 Fax: (302) 622-7100</p> <p><i>Counsel for Plaintiffs</i></p>	<p>Robert J. Del Tufo, Esq. <i>Robert.DelTufo@skadden.com</i> Andrew Muscato, Esq. <i>AMuscato@skadden.com</i> SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP Four Times Square New York, NY 10036 Tel: (212) 735-3880 Fax: (202) 434-5029</p> <p>Edward P. Welch, Esq. <i>Edward.Welch@skadden.com</i> Edward B. Micheletti, Esq. <i>Edward.Micheletti@skadden.com</i> SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP One Rodney Square P.O. Box 636 Wilmington, DE 19899 Tel: (302) 651-3000 Fax: (302) 651-3001</p> <p><i>Counsel for Express Scripts, Inc.</i></p>
--	--

<p>John L. Hardiman, Esq. <i>HardimanJ@sullcrom.com</i> Brian T. Frawley, Esq. <i>FrawleyB@sullcrom.com</i> David M. Sollors, Esq. <i>SollorsD@sullcrom.com</i> SULLIVAN & CROMWELL LLP 125 Broad Street New York, NY 10004-2498 Tel: (212) 558-4000 Fax: (212) 558-3588</p> <p><i>Counsel for Medco Health Solutions, Inc., Howard W. Barker, Jr., John L. Cassis, Michael Goldstein, Charles M. Lillis, Myrtle S. Potter, William L. Roper, David B. Snow, Jr., David D. Stevens and Blenda J. Wilson</i></p>	
---	--